UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,005	09/20/2001	Teruhiko Fujisawa	P6189a	4222

20178 7590 06/17/2005

EPSON RESEARCH AND DEVELOPMENT INC
INTELLECTUAL PROPERTY DEPT
150 RIVER OAKS PARKWAY, SUITE 225
SAN JOSE, CA 95134

EXAMINER	
ENG, GEORGE	

ART UNIT	PAPER NUMBER
2643	

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/960,005	FUJISAWA ET AL.	
	Examiner	Art Unit	
	George Eng	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 March 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-5,7 and 9-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-5,7 and 9-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This Office action is in response to the amendment filed 3/24/2005. Accordingly, claims 2, 6 and 8 are cancelled and claims 1, 3-5, 7 and 9-39 are pending for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1, 7, 9, 11, 19, 21, 24-25, 26, 28-31, 33 and 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weeks et al. (WO 94/11967 A1 hereinafter Weeks) in view of Rautila (US PAT. 6,714,797).

Regarding claim 1, Weeks discloses a wireless information distribution system comprising a wireless information distribution device (1, figure 1) and a portable wireless device (5, figure 1), wherein the wireless information distribution device comprises an external transmitting and receiving device (3, figure 1) for carrying out wireless communication with the portable wireless device, a first memory, i.e., network node (NN, figure 1) for storing service information and a first control unit, i.e., network server (DP, figure 1), for retrieving service information from the first memory for transmission to the portable wireless device in response to receiving a service information request, i.e., item specific request, having user-provided user attributes sent by the portable wireless device, the first control unit being further effective for controlling the transmitting of the retrieved service information to the portable wireless device, and the portable wireless device includes a second memory for storing the service information request, a display (53, figure 1), a transmitting and receiving unit for carrying out wireless communication with said wireless information distribution device, and a second control unit for transmitting the service information request including the user-provided user attributes stored in the second memory to the external transmitting and receiving device and for displaying service information sent from said external transmitting and receiving device on said display device, wherein the second control unit automatically transmits the service information request to the wireless information distribution device upon without user intervention, and the transmitted service information request made by the portable wireless device is for local-specific information (abstract and page 6 line 16 through page 19 line 28). Weeks differs from the claimed invention in not specifically teaching the external transmitting and receiving device transmitting a communication request signal at regular intervals so that the transmitting and receiving unit of

the portable wireless device transmits a communication ready signal to the external transmitting and receiving device in response to receive the communication request signal for carrying out wireless communication with the wireless information distribution device when within range of the wireless information distribution device. However, Rautila teaches a system for transferring digital data to a mobile device having a hotspot device (90, figure 1), i.e., an external transmitting and receiving device, for transmitting digital data to a user terminal (10, figure 1), i.e., a portable wireless device, when the user terminal is within the range of the hotspot device, wherein the user terminal is operable to transmit an order, i.e., a communication-ready signal, to the hotspot device in response to an LPRF signals broadcast by the hotspot device (figure 5, and col. 6 line 41 through col. 7 line 21), wherein the hotspot device transmitting a communication request signal at regular intervals so that the user terminal is able to detect the communication request signal upon within the range with the hotspot, thereby large quantities of digital data can be quickly and inexpensively transferred to a mobile communication device. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Weeks in having the external transmitting and receiving device transmitting a communication request signal at regular intervals so that the transmitting and receiving unit of the portable wireless device transmits a communication ready signal to the external transmitting and receiving device in response to receive the communication request signal for carrying out wireless communication with the wireless information distribution device when within range of the wireless information distribution device, as per teaching of Rautila, in order to quickly and inexpensively transfer large quantities of digital data to the portable wireless device.

Regarding claim 7, Weeks discloses the service information request being real time based information (abstract).

Regarding claim 9, Weeks discloses a wireless information distribution device (1, figure 1) comprising a memory (NN, figure 1) for storing service information, an external transmitting and receiving device (3, figure 1) for carrying out radio communication with mobile wireless device (7, figure 1) and a control unit (DP, figure 1) for retrieving from the memory, and transmitting the retrieved service information to a portable wireless device (5, figure 1) in response to and corresponding to a service information request automatically sent by the portable wireless device to the external transmitting and receiving device, and transmitting the retrieved service information via the external transmitting and receiving device (abstract and page 6 line 16 through page 19 line 28). Weeks differs from the claimed invention in not specifically teaching the control unit for transmitting the retrieved service information when the portable wireless device within range of the external transmitting and receiving device. However, Rautila teaches a system for transferring digital data to a mobile device having a hotspot device (90, figure 1), i.e., an external transmitting and receiving device, for transmitting digital data to a user terminal (10, figure 1), i.e., a portable wireless device, when the user terminal is within the range of the hotspot device, wherein the user terminal is operable to transmit an order, i.e., a communication-ready signal, to the hotspot device in response to an LPRF signals broadcast by the hotspot device (figure 5, and col. 6 line 41 through col. 7 line 21), so that the user terminal is able to detect the communication request signal upon within the range with the hotspot, thereby large quantities of digital data can be quickly and inexpensively transferred to a mobile communication device. Therefore, it would have been obvious to a person of ordinary skill in the

art at the time the invention was made to modify Weeks in having the control unit for transmitting the retrieved service information when the portable wireless device within range of the external transmitting and receiving device, as per teaching of Rautila, in order to quickly and inexpensively transfer large quantities of digital data to the portable wireless device.

Regarding claim 11, Rautila discloses the service information request including user attributes, wherein the memory of the wireless information distribution device stores the information corresponding to the user attributes, and the control unit of the wireless information distribution device retrieves the information from the memory corresponding to user attributes (col. 6 lines 5-7).

Regarding claim 18, Rautila discloses the hotspot device transmitting a communication request signal at regular intervals so that the user terminal is able to detect the communication request signal upon within the range with the hotspot, wherein the user terminal transmits the service information request to the hotspot device upon receives the communication request signal (col. 6 lines 46-53).

Regarding claim 19, Weeks discloses a portable wireless device (5, figure 1) for radio communication with an external transmitting and receiving device (3, figure 1) of a wireless information distribution device (1, figure 1), the portable wireless device comprising a transmitting and receiving unit for carrying out radio communication, a memory for storing a service information request, a display (53, figure 3), and a control unit for automatically transmitting the service information request to the external transmitting and receiving device and for displaying information sent from the external transmitting and receiving device on the display in response to the service information request (abstract and page 6 line 16 through page

19 line 28). Weeks differs from the claimed invention in not specifically teaching the control unit for automatically transmitting a communication ready signal to the external transmitting and receiving device in response to coming within range of the external transmitting and receiving device. However, Rautila teaches a system for transferring digital data to a mobile device having a hotspot device (90, figure 1), i.e., an external transmitting and receiving device, for transmitting digital data to a user terminal (10, figure 1), i.e., a portable wireless device, when the user terminal is within the range of the hotspot device, wherein the user terminal is operable to transmit an order, i.e., a communication-ready signal, to the hotspot device in response to an LPRF signals broadcast by the hotspot device (figure 5, and col. 6 line 41 through col. 7 line 21), so that the user terminal is able to detect the communication request signal upon within the range with the hotspot, thereby large quantities of digital data can be quickly and inexpensively transferred to a mobile communication device. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Weeks in having the control unit for automatically transmitting a communication ready signal to the external transmitting and receiving device in response to coming within range of the external transmitting and receiving device, as per teaching of Rautila, in order to quickly and inexpensively transfer large quantities of digital data to the portable wireless device.

Regarding claim 21, Rautila discloses the service information request including user attributes, i.e., order number, wherein the memory of the wireless information distribution device stores the information corresponding to the user attributes, and the control unit of the wireless information distribution device (70, figure 1) retrieves the information from the memory corresponding to user attributes (col. 6 lines 50-64)

Regarding claim 24, Rautila discloses the transmitting and receiving unit carrying out radio communication with the external transmitting and receiving device only upon receiving a communication request signal sent from the external transmitting and receiving device (col. 6 lines 46-49).

Regarding claim 25, Rautila teaches the display of the mobile phone for displaying cellular phone signals including time for a predetermined period after receiving the cellular phone signals from the external transmitting and receiving device (col. 5 lines 9-22).

Regarding claim 26, the limitations of the claim are rejected as the same reasons set forth in claim 9.

Regarding claim 28, the limitations of the claim are rejected as the same reasons set forth in claim 11.

Regarding claim 31, the limitations of the claim are rejected as the same reasons set forth in claim 19.

Regarding claim 33, the limitations of the claim are rejected as the same reasons set forth in claim 21.

Regarding claims 36 and 38, the limitations of the claims are rejected as the same reasons set forth in claim 9.

Regarding claims 37 and 39, the limitations of the claims are rejected as the same reasons set forth in claim 19.

4. Claims 5, 10, 20, 27 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weeks et al. (WO 94/11967 A1 hereinafter Weeks) in view of Rautila (US PAT. 6,714,797) as applied to claims above, and further in view of Ilen (WO 95/11496 A1).

Regarding claim 5, the combination of Weeks and Rautila differs from the claimed invention in not specifically teaching to apply the wireless information distribution system to an entry/exit management system, wherein the service information including information for identifying a user and entry/exit request of said user so that the external transmitting and receiving device being provided in vicinity of an entry/exit controlling device so that the control unit of the wireless information distribution device receives an entry/exit request via the external transmitting and receiving device for judging whether to allow the request and controlling the entry/exit controlling device based on the judgment. However, Ilen teaches to apply a wireless information distribution system to an entry/exit management system comprising a wireless information distribution device having an entry/exit control device (4, 5, figure 1) for receiving an entry/exit request via an external transmitting and receiving device (1, figure 1) so that a control unit of the wireless information distribution device judges whether to allow the request and controls the entry/exit control device based on the judgment in order to apply the system to the entry/exit management system for making effective and rapid entrance and check-out performance (page 2 line 4 through page 6 line 5). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Weeks and Rautila in applying the wireless information distribution system to an entry/exit management system, wherein the service information including information for identifying a user and entry/exit request of said user so that the external transmitting and receiving device

being provided in vicinity of an entry/exit controlling device so that the control unit of the wireless information distribution device receives an entry/exit request via the external transmitting and receiving device for judging whether to allow the request and controlling the entry/exit controlling device based on the judgment, as per teaching of Ilen, in order to apply the system to the entry/exit management system for making effective and rapid entrance and check-out performance.

Regarding claims 10 20, 27 and 32, the limitations of the claims are rejected as the same reasons set forth in claim 5.

5. Claims 3-4, 13-17, 22-23, 29-30 and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weeks et al. (WO 94/11967A1 hereinafter Weeks) in view of Rautila (US PAT. 6,714,797) as applied to claims above, and further in view of Tanabe (JP 10315971A).

The combination of Weeks and Rautila differs from the claimed invention in not specifically teaching the wireless information distribution system for storing service information relating to user transportation information including departure point and destination of the user so that the service information request includes the user transportation information and the service information received via the transmitting and receiving unit for information about movement of the transportation specified in the user transportation information. However, Tanabe teaches an information system for providing train schedule comprising storing means for storing service information relating to user transportation information including departure point and destination of the user and transmitting/receiving means for sending service information to the destination point (abstract) in order to make user friendly by providing transportation

information to the user. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Weeks and Rautila in having the wireless information distribution system for storing service information relating to user transportation information including departure point and destination of the user so that the service information request includes the user transportation information and the service information received via the transmitting and receiving unit for information about movement of the transportation specified in the user transportation information, as per teaching of Tanabe, in order to make user friendly by providing transportation information to the user.

Regarding claims 34-35, the limitations of the claims are rejected as the same reasons set forth in claims 22-23.

Response to Arguments

6. Applicant's arguments with respect to claims 1, 3-5, 7 and 9-39 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

George Eng
Primary Examiner
Art Unit 2643